

REMARKS

Claims 1-7 are pending in this application. Claims 1, 2, and 5-7 are rejected. Claims 3 and 4 are allowed. Claims 1 and 5 are herein amended. No new matter has been entered. Claims 2 and 7 are herein canceled.

Claim Rejections - 35 U.S.C. §112

Claims 2 and 7 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner asserts that claims 2 and 7 recite the broad recitation a surface activating agent, and the claim also recites specific types that narrow the range/limitation.

Applicants note that claims 2 and 7 recite in part: “a surface active agent (organic amine salt, boric acid amine salt, organic amine, organic amanoide type rust preventives)…”. Applicants believe that the Examiner is inferring that that the surface active agent may be *one or a mixture of* the listed compounds, rather than including all of the compounds. The Examiner infers that the following amendment would be needed: “a surface active agent (organic comprising one selected from the group consisting of organic amine salt, boric acid amine salt, organic amine, and organic amanoide type rust preventives) preventatives, …”.

However, Applicants submit that the surface active agent includes *all* of the compounds, and includes organic amine salt, boric acid amine salt, organic amine, and organic amanoide type rust preventive.

Applicants herein slightly change the claim to clarify the claimed subject matter.

Applicants note that claims 2 and 7 additionally recite, “non-ferrous metal anticorrosive (triasol type compound)” and “antiseptic agent (xylene type compound)”. Applicants herein change the claim to avoid the use of parentheses.

Applicants note that following the correction to claims 2 and 7, the substance of claims 2 and 7 has been herein added to claims 1 and 5, respectively. Claims 2 and 7 are subsequently herein canceled.

Specification

Claims 2 and 7 are objected to because the Examiner asserts that both claims enclose Markush groups in parenthesis instead of using the claim language, “...selected from the group...”.

Applicants respectfully disagree with this objection because a Markush group is not intended in the claim. Applicants herein clarify the claims as noted above, and traverse the objection.

Drawings

Applicants previously submitted replacement sheets for Figures 1 to 3. However, the replacement sheets did not include a change from “voltage” to “potential”. Applicants herein submit additional replacement sheets that correct the error.

Claim Rejections – 35 U.S.C. §102(b)

The rejection of claim 1 under 35 U.S.C. §102(b) as being anticipated by US 5,387,360 to Uekusa et al. is maintained.

Applicants herein import the limitations into claim 1 from claim 2, not previously substantively rejected. Applicants submit that this addition overcomes the substantive rejection to claim 1 and its progeny.

Claim Rejections – 35 U.S.C. §103(a)

Claims 1 and 5-6 are rejected under 35 U.S.C. §103(a) as being unpatentable Ehrhardt et al. (US 6,585,933). The Examiner notes that Ehrhardt et al. discloses a method for controlling the corrosion of metals in contact with an aqueous system at a pH of about 5 to about 12 which comprises introducing into said system a combination of: (a) a tetrazolium compound and (b) at least one other aqueous system treatment material chosen so that the material such as polymeric amine oxides; amines, diamines; alkanolamines; fatty amines and diamines; quaternized amine and amine salts of carboxylic acids; water soluble salts thereof and mixtures thereof, wherein the weight ratio of component (b) to component (a) is from about 100:1 to about 1:20 (col. 26, line 64- col. 27, line 43).

The Examiner admits that Ehrhardt et al. fails to teach that a machine device made of carbon steel is coated with the instantly claimed coolant, but notes that it does teach that the composition is useable in an engine coolant and on metals such as carbon steel. The Examiner

Application No. 10/644,062
Attorney Docket No. 030932

Response under 37 C.F.R. §1.116
Response Filed: September 28, 2005

concludes that if the composition of the cited reference is used in an engine as a coolant when the engine is made of carbon steel, such use would be read upon by the present claims.

Applicants herein import into claim 5 the limitations from claim 7, not previously substantively rejected. Applicants submit that this addition overcomes the substantive rejection to claim 5 and its progeny.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Kenneth H. Salen
Attorney for Applicants
Registration No. 43,077
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

KHS/cas
Enclosures Replacement Drawing Sheets for Figure 1
 Replacement Drawing Sheets for Figure 2
 Replacement Drawing Sheets for Figure 3